

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Facsimile (702) 949-8321  
Telephone (702) 949-8320

Robert M. Charles Jr. NV State Bar No. 006593  
Email: [rcharles@lrlaw.com](mailto:rcharles@lrlaw.com)  
John C. Hinderaker AZ State Bar No. 018024  
Email: [jhinderaker@lrlaw.com](mailto:jhinderaker@lrlaw.com)

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**NOTICE OF HEARING RE  
MOTION TO CLARIFY RECORD  
BY AMENDING CERTAIN ORDERS**

Date of Hearing: January 19, 2012

Time of Hearing: 10:00 a.m.

Estimated Time for Hearing: 10 minutes

**THE USACM LIQUIDATING TRUST FILED A MOTION TO CLARIFY  
RECORD AND AMEND COURT'S ORDERS. The Motion requests that certain  
claims be deleted from orders previously entered by the Court, because they  
conflicted with another order, which disallowed the claim on the ground that it was  
duplicative of another claim.**

**PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS  
REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, JOHN  
HINDERAKER (520-629-4430).**

**NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
through its counsel, has filed its Motion to Clarify Record and Amend Court's Orders, (the  
"Motion").



1 The USACM Liquidating Trust contends that all or a portion of your claim was  
2 allowed in error two separate occasions. The USACM Trust is seeking an order from the  
3 court that will correct the record by nullifying one of those orders.

4 **NOTICE IS FURTHER GIVEN** that the hearing on the Motion will be held  
5 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
6 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
7 **January 19, 2012, at the hour of 10:00 a.m.**

8 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON January 19,**  
9 **2012, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**  
10 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**  
11 **HEARD ON THAT DATE.**

12 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
13 response to the Motion must be filed and service must be completed no later than **fourteen**  
14 **(14) days** preceding the hearing date. The opposition must set forth all relevant facts and  
15 any relevant legal authority.

16 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading  
17 with the Court. You *must* also serve your written response on the person who sent you this notice.

18 If you do not file a written response with the Court, or if you do not serve your written  
19 response on the person who sent you this notice, then:

- 20 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 21 • The Court may *rule against you* and grant the Motion without formally calling the  
22 matter at the hearing.

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

DATED this 21<sup>st</sup> day of December, 2011.

LEWIS AND ROCA LLP

By /s/ John Hinderaker (#18024)  
Robert M. Charles Jr. NV 6593  
John C. Hinderaker, AZ 18024 (*pro hac vice*)  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169  
Telephone: (702) 949-8200  
Facsimile: (702) 949-8398  
E-mail: [jhinderaker@lrlaw.com](mailto:jhinderaker@lrlaw.com)

*Attorneys for the USACM Liquidating Trust*

Copy of the foregoing  
mailed by first class postage prepaid  
U.S. Mail on  
December 21, 2011 to:

The parties listed on Exhibit A attached  
to the Motion

LEWIS AND ROCA LLP

/s/ Matt Burns  
Matt Burns